

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

IN RE: VEHICLE TRACKING AND  
SECURITY SYSTEM ('844) PATENT  
LITIGATION

MDL NO. 11-2249

PJC LOGISTICS, LLC,

Plaintiff,

v.

A. DUIE PYLE, INC., *et al.*,

Defendants.

No. 11-cv-2549 (DWF/SER)

**UNOPPOSED MOTION TO EXTEND THE TIME  
TO RESPOND TO THE COMPLAINT**

Defendants FedEx Ground Package System, Inc., USF Glen Moore Inc., New Century Transportation LLC, New Penn Motor Express, Inc. and NFI Industries, Inc. (collectively the "Moving Parties") respectfully move the Court for an order, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, extending the time to respond to the Complaint until October 28, 2011.

1. Plaintiff alleged in its Complaint that the Moving Parties infringed U.S. Patent No. 5,223,844 (the "'844 Patent") "by using in the United States ... certain electronic fleet management systems that embody the inventions claimed in the '844 Patent". (Compl. ¶ 51, ECF No. 1.)

2. Each of the Moving Parties is represented by counsel secured by Qualcomm Incorporated ("Qualcomm") to represent them solely with respect to fleet management systems manufactured by Qualcomm.

3. In late September 2011, Qualcomm reached an agreement with Plaintiff, pursuant to which Qualcomm obtained a license from PJC to the '844 Patent that covers all use of fleet management systems manufactured by Qualcomm.

4. As the Moving Parties no longer face any potential claims for their use of fleet management systems manufactured by Qualcomm, Qualcomm will no longer be providing them with counsel to represent them in this case. The Moving Parties thus need to make arrangements for new counsel to represent them.

5. The current deadline for the Moving Parties to respond to the Complaint is October 24, 2011, pursuant to an agreement with Plaintiff. (*See* Notice of Agreement Concerning Time to Respond to the Compl., MDL No. 11-2249 (DWF/SER), ECF No. 2.)

6. In order to allow the Moving Parties time to secure new counsel and for that new counsel to have time to prepare and file a response to the Complaint, the Moving Parties respectfully request the time to respond to the Complaint be extended until October 28, 2011.

7. Plaintiff does not oppose this motion and agrees to the extension of time as requested herein.

Dated: October 20, 2011

BARNES & THORNBURG LLP,

s/Douglas Williams

Douglas J. Williams (#117353)  
Felicia J. Boyd (#186168)  
Niall A. MacLeod (#269281)  
Aaron A. Myers (#311959)  
225 South Sixth Street, Suite 2800  
Minneapolis, MN 55402-4661  
doug.williams@btlaw.com  
felicia.boyd@btlaw.com  
niall.macleod@btlaw.com  
aaron.myers@btlaw.com  
(612) 333-2111

OF COUNSEL:

Evan R. Chesler  
Keith R. Hummel  
James E. Canning  
CRAVATH, SWAINE & MOORE LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019-7475  
echesler@cravath.com  
khummel@cravath.com  
jcanning@cravath.com  
(212) 474-1000

*Attorneys for Defendants FedEx Ground  
Package System, Inc., USF Glen Moore  
Inc., New Century Transportation LLC,  
New Penn Motor Express, Inc. and NFI  
Industries, Inc.*